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Gp 3304

PTO/SB/21 REV 1 (12/97)

Approved for use through 09/30/2000, omb 0651-0032

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Filing Date	04/10/95 25	
		First Named Inventor	Augustine et al	
		Examiner Name	Graham	
		Group Art Unit	2204	
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	ENCLOSURES	(check all that apply)	2 - 5	
_ Fee Transmittal Form	Assignment Papers (for an Application) Drawing(s) Licensing-related Papers Petition Checklist and Accompanying Petition		After Allowance Communication to Group	
Fee Attached			Appeal Communication to Board of Appeals and Interferences	
_ Amendment/Response				
After Final			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
_ Extension of Time Request		·-	Proprietary Information _x_ Communication	
_ Express Abandonment Request	To Convert a Provisional Ap	olication .		
<u>x</u> PTO Form 1449		ney, Revocation	X Additional Enclosure(s) (please identify below):	
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Response to Missing Parts/	Remarks:			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

S.D. AUGUSTINE ET AL.

08/419,719

Filed:

Serial No.:

April 10, 1995

For: THERMAL BLANKET

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

COMMUNICATION

Accompanying this paper is an Information Disclosure Statement. On June 2, 1997, a Notice (Paper No. 19) was mailed from the Office of Patent Publication to the undersigned. The purpose of the Paper was to give notice that the subject patent application was withdrawn from issue by the Office for the purpose of reopening prosecution. The litigation related to the subject matter and priority of this application has now been heard on appeal by the Court of Appeals, Federal Circuit. The accompanying Information Disclosure Statement forwards a copy of the Decision on Appeal. Subsequent to the decision, Augustine Medical, Inc., the owner by assignment of this patent application, submitted a Petition For Rehearing And Suggestion For Rehearing In Banc, a copy of which is attached. As of this date, the Federal Circuit has not ruled on the Petition, but has asked that Gaymar and Mallinckrodt respond to the petition.

Respectfully submitted,

Group Art Unit: 3304

Examiner: M. Graham

Docket No.: AUGA01000010

Date: 12 July 1994

TERRANCE A. MEADOF Registration No. 30,298

1 Mead

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PROOF OF SERVICE

I certify that on June 21, 1999, I caused true and correct copies of the following: Combined Petition For Rehearing And Suggestion For Rehearing In Banc of Plaintiff-Cross-Appellant Augustine Medical, Inc. to be served by Federal Express on:

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Attorneys for Gaymar Industries, Inc. and Medisearch P R, Inc.
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Date: June 21, 1999

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